

**City of Eau Claire
Plan Commission Minutes
Meeting of August 15, 2016**

City Hall, Council Chambers

7:00 p.m.

Members Present: Messrs. Brenholt, Granlund, Larsen, Seymour, Pederson, Radabaugh, Weld
Ms. Ebert and Ms. Mitchell

Staff Present: Messrs. Tufte, Petrie, Genskow

The meeting was chaired by Mr. Weld.

1. **REZONING (Z-1584-16) – C-2P to C-3P, Kwik Trip**
and
CONDITIONAL USE PERMIT (CZ-1614) – Truck stop within a C-3P zoning

Mr. Tufte presented a request to rezone property located at the southeast corner of U.S. Hwy. 12 and N. Town Hall Road from C-2P to C-3P and to adopt the general development plan for a Kwik Trip store with a conditional use permit for a truck stop. If the rezoning is approved with this general development plan, final site plans will need approval by the Commission.

The present zoning for this property is C-2P, which is defined as a commercial district that is located in relative proximity to residential areas and to major thoroughfares. The property has existing and planned residential uses to the south. The proposed rezoning is to a C-3P district which allows a broader range of uses including truck stops by conditional use permit. The convenience store shown on the site plan is a permitted use under either zoning district. A landscape buffer to the south is shown on the preliminary site plan and notes only access is limited to N. Town Hall Road.

Applicant, Scott Teigen with Kwik Trip, spoke in support and noted the landscape buffer to the south will be a fence with trees and shrubs and landscape berm.

Joe Miller, 4643 Old Wells Road, spoke in support of the project and noted that this is a good thing for the residences within the area.

Mr. Larsen moved to recommend approval of the rezoning with staff conditions as noted in the staff report. Mr. Radabaugh seconded.

The Commission had a short discussion regarding the landscape buffering and the need for a noise barrier.

Mr. Larsen moved to recommend approval of an amendment to require a landscape berm to the south to include a noise barrier for this area. Mr. Radabaugh seconded and motion carried; Mr. Pederson and Mr. Brenholt voted nay.

The vote on the original motion was passed, with Mr. Pederson and Mr. Brenholt voting nay.

2. **CONDITIONAL USE PERMIT (CZ-1613) – Tavern, 1004 Menomonie Street**

Mr. Larsen left his seat on the commission.

Mr. Tufte presented a request for a conditional use permit to allow a tavern in a C-2P district for property located at 1004 Menomonie Street. The Commission voted to reconsider this application at a previous meeting and requested staff to establish a new public hearing on the application to allow consideration of new evidence on the request. A revised floor plan for the facility notes a more open floor plan with an outdoor patio to the west of the building. The required parking for this floor plan is 10 stalls based on the seating capacity and 14 stalls based on the building square footage. The applicant does have a parking agreement to the south with the city for the 20 stalls. There is no parking requirement for the outdoor patio seating area since it is viewed as seasonal.

Applicant, James Rolbiecki, indicated his support for the conditional use permit and gave a background on the new open concept floor plan along with the family history of the building. He noted that the business will not have any drink specials, bar games or neon lighting.

Helene Smiar, 320 Broadway Street, President of the Historic Randall Park Neighborhood spoke in support from the neighborhood association.

Jayne Plumer, E2081 Cedar Road, spoke in support for the project and her great grandfather owned the Kaiser property many years ago and would like to see the building reused.

Patrick Rolbiecki, 3128 Greenview Drive, spoke in support of the project, and is helping with the business background.

Eric Larsen, 128 E. Grant Avenue, spoke in support of the project and noted the atmosphere and operation of the establishment is what is important.

Lieske Giese, Health Department Director, stated that the health inspectors have worked with the applicant and have visited the location which could work as a restaurant and/or bar.

Chad Hoyord with the Eau Claire Police Department stated his concerns about the establishment in regards to the seating and how the applicant is going to operate the business.

Jody Thompson, 707 Sixth Avenue, stated that the neighborhood association does support this project, however she would not support this project. She noted the neighborhood does not need another tavern within the area.

Ms. Ebert moved to approve the conditional use permit. Mr. Radabaugh seconded.

The Commission discussed the conditional use permit. Ms. Mitchell stated that she would like to add amendments to the approval of the conditional use permit. The first amendment is that the applicant must serve food and be required to have a license from the Health Department. Ms. Mitchell moved to approve with the amendment. Mr. Seymour second and motion carried.

Ms. Mitchell stated that the second amendment is that the closing time shall be as noted in narrative from the applicant. Ms. Mitchell motioned to approve the amendment. Mr. Pederson second and the motion carried.

Mr. Granlund stated that an amendment should include the seating capacity. Mr. Granlund motioned to approve the amendment that half the available seating capacity shall be tables and booths with chairs. Ms. Ebert second and the motion carried.

The original motion was then voted on; motion carried with Ms. Mitchell and Mr. Brenholt voting nay.

3. **CONDITIONAL USE PERMIT (CZ-1615) – Detached garage, 4012 High View Drive**

Mr. Larsen returned to his seat.

Mr. Tufte presented a request for a conditional use permit to allow for a detached garage that is in excess of the accessory use standards for property at 4012 High View Drive. The building plans for the new single-family home with an attached 30' x 30' garage. The applicant is requesting a detached garage to be 26' x 34'. The combination of these two garages is in excess of the accessory use of 1,500 square foot garage area.

For this request, the lot is larger than most other lots in this area. The home on the property is the first to be built in this subdivision and will likely be similar to other homes. The uniqueness of this property being a very large lot which is wooded will make the proposed garage not visible from the other lots. Staff believes this request will be compatible with the surrounding future development.

Applicant, Gary Nowak, spoke in support of the project and noted he has numerous vehicles that he would like to store in the garage.

Mr. Pederson moved to approve the conditional use permit. Ms. Ebert seconded and the motion carried.

4. **DISCUSSION/DIRECTION**

A. Code Compliance Items

Ms. Ebert noted that 735 Eddy Lane has a growing amount of junk and debris at the location.

B. Future Agenda Items

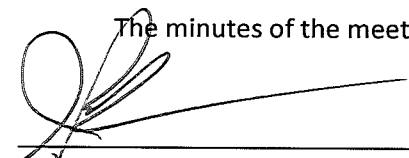
Ms. Mitchell asked if staff would research other communities the way they regulate restaurants and taverns in their zoning codes.

C. Additions or Corrections to Minutes

None.

5. **MINUTES**

The minutes of the meeting of August 5, 2016 were approved.



Jamie Radabaugh, Secretary